

**TOWN OF SHEFFIELD
BOARD OF SELECTMEN
NOVEMBER 7, 2005
TOWN HALL**

Board Members Present: Janet G. Stanton, Chairman
David D. Macy, Selectman
Julie M. Hannum, Selectman

Other Staff Present: Robert Weitz, Town Administrator
Beverly A. Gilbert, Recording Secretary

Chairman Stanton called meeting to order at 7PM

**APPROVAL OF MEETING MINUTES: OCTOBER 22ND SITE VISITS, AND
OCTOBER 24 REGULAR AND EXECUTIVE SESSIONS**

Selectman Macy moved to approve the meeting minutes for the October 22, 2005 site visits, and the October 24, 2005 Regular and Executive Sessions. Julie Hannum seconded. Motion carried unanimously.

RENE WOOD RE: COMMONWEALTH CAPITAL GRANT

Rene Wood announced that the Executive Office of Environmental Affairs awarded the town a \$25,000 grant Growth Technical Assistance Grant to be administered by Berkshire Regional Planning commission. The primary tasks include: 1) Adoption of amended Zoning By-Laws 2) Support to Sheffield's Master Plan Implementation Advisory Committee and 3) Adopting a proposal for water supply protection zoning. The activities of this grant will begin December 1, 2005. Ms Wood will provide monthly progress reports to the Board.

**KATHY ORLAND OF SHEFFIELD LAND GROUP RE: CONSERVATION
RESTRICTION (BOW WOW RD)**

Ms Orlando had provided a copy of the revised Sheffield Land Group Conservation Restriction for 53 acres of forest and wild life habitat on Bow Wow Road. Such includes a newly surveyed driveway corridor. This will appear on the November 21, 2005 agenda. In the interim, the individual Selectmen may contact Ms Orlando to discuss any questions/concerns.

COMMUNITY TELEVISION FOR THE SOUTHEHRN BERKSHIRES: ACCESS FEE

The Board will invite Cable Advisory Board member Paul O'Brien to the November 21st meeting to discuss this matter. Chairman Stanton reported that other towns outside the county she surveyed had a 5% public access fee.

MAIL OF NOTE:

Sheffield Land Trust re: Application to Agricultural Preservation Restriction Program (Bruce Howden, Rannapo Road)

Selectman Macy moved for the town to not contribute money to the restriction cost for Bruce Howden's property locate on Rannapo Road. Motion did not carry with Selectmen Hannum, and Chairman Stanton opposed, and Selectman Macy in favor.

Selectman Hannum moved to contribute \$500 (of the funding approved at a prior Town Meeting for Agricultural Preservation) to the agricultural preservation restriction cost for Bruce Howden's property on Rannapo Road, seconded by Chairman Stanton. Motion carried with Selectman Macy opposed.

Selectman Hannum moved to decline co-holding the restriction, seconded by Selectman Macy. Motion carried unanimously.

GRAVEL PERMIT APPLICATION

Chairman Stanton inquired if the board was ready to vote or wanted to entertain discussion on the Cronks' gravel permit application on Polikoff Road, Ashley Falls.

Selectman Hannum stated that throughout this review of the gravel permit application, she has learned a great deal, including the technical aspects. She further indicated that throughout her analysis what so clearly stands out to her is the "of detriment to the neighborhood" language in the by-law. She feels that while she is not opposed to gravel excavation as long as it is safely done, and technical conditions worked out, after spending time in the neighborhood, she believes the site was not the proper location, and the "of detriment to the neighborhood" would apply under this circumstance. She had major concerns concerning noise (accumulation of noises such as trucks, shifting, backing up, different sawing and other types of equipment), size of the trucks such tractor-trailer's safely navigating on such a narrow road.

Selectman Macy stated that Selectman Hannum did not said anything he disagrees with and while he was not so much as concerned with the actually operation of the gravel bed as he was of location of the proposed being inappropriate due to concerns with truck traffic, safe exits/entrances, and the general impact on neighborhood, including noise.

Chairman Stanton stated that she has always had high regard for having the freedom to do whatever we choose to do with our land, particularly if land has been in family for generations. Something we cannot take lightly is when we tell someone not to do something they are choosing to do – especially when their intentions are good. On the other hand, the Board of Selectmen's mandate is to look at the general health, safety, & general welfare of the inhabitants. Chairman Stanton stated that she thinks the Board considered these areas and thoroughly reviewed the application. Chairman Stanton stated that the operator (Greg Marlow of Century Acquisitions) received very good references.

Selectman Macy moved to deny Rose and Robert Cronk's gravel permit excavation application because the site is in an inappropriate location that would have a general adverse impact, including noise, on the neighborhood.

Selectman Stanton moved to amend the motion by clarifying the reason for denial to include:

- Dust impacts from operation on neighborhood
- Noise impacts from operation on neighborhood
- Impact on shallow wells
- Visual impact on neighborhood
- Traffic and Safety Issues – over 2,000 additional vehicles per year, overweight vehicles, conflict with children and school buses, speeding, width of road, inadequate construction of Polikoff Road to handle additional heavy vehicles
- Restoration issues including topsoil for restoration, depth and quality of cover, slope at edge of excavation

- Reduction of neighborhood property values
- Inspection concerns
- Environmental insurance
- Existing environmental concerns form junk
- Safety of pit to prevent children from playing in excavation
- Lack of adequate date and information as outlined in letters from Tighe & Bond

Hearing no one second the motion, Chairman Stanton asked if there were a second to the original motion (Selectmen Macy'). Julie Hannum seconded. Motion carried unanimously.

Selectman Macy explained that did not support the addendum including that he does not have facts regarding the impact on shallow wells, plus he did not want to list enforcement issues (such as speeding, overweight vehicles) or operational issues. He had concern with the angle of the entrance to the highway, and effects on the road, and the proximity of the proposed operation to other residences. Selectman Hannum and that the proposed site is in the most densely populated neighborhood in Sheffield. Selectman Macy stated that this was a very tough decision for him: The Cronks are good neighbors, and Bob Cronk had served on the School Committee. Selectman Macy specified that the site visit sealed his decision.

CURB CUT APPLICATION

Selectman Macy moved to approve the curb cut application submitted by Carolyn A. Golden, West of 524 Berkshire School Road, pending approval from the Police Chief and Highway Superintendent, seconded by Selectman Hannum. Motion carried unanimously.

SENIOR CENTER UPDATE

Chairman Stanton stated that the board is currently considering two, and need information on a third site. The board will discuss at the November 21st meeting.

SELECTMEN'S ITEMS

Selectman Macy announced the passing of community member and former Selectman Dana Barthlomew, and called a moment of silence. The board agreed to fly the town flags at half-staff on Wednesday and Thursday in honor of Dana Barthlomew.

Selectman Macy asked Town Administrator Weitz to investigate in-house sidewalk snow removal (currently the town contracts for this service).

Selectman Hannum advised that there is grant moneys available to prune heritage trees, which are at least 32 inches in diameter & located on town property in the center of town.

Chairman Stanton inquired about the misplaced flashing light (for the school driveway) on Berkshire School Road. Town Administrator Weitz advised that Mass Highway is working with their contractor to have it relocated.

PUBLIC COMMENT

Rene Wood stated that based on an article in the Sheffield Times, she wanted to clarify that her letter to the Board of Selectmen commenting on the gravel permit application reflected her owns views, and was independent of the Planning Board. Chairman Stanton replied that this was already the Board's understanding.

EXECUTIVE SESSION RE: STRATEGY WITH RESPECT TO REAL ESTATE
NEGOTIATIONS

Selectman Hannum moved to end this regular session meeting, and enter into Executive Session to discuss strategy with respect to real estate negotiations, seconded by Selectman Macy. ROLE CALL VOTE: Chairman Stanton, aye, Selectman Macy, aye and Selectman Hannum, aye.

The Board adjourned at 7:51PM and went into Executive Session at 7:56PM.

Respectfully submitted,

Beverly Gilbert, Recording Secretary